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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/574,449	05/19/2000	Tom T.J. de Groot	PHB 34,345	8620

24737 7590 07/03/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

TRAN, TRANG U

ART UNIT PAPER NUMBER

2622

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/574,449

Applicant(s)

DE GROOT ET AL.

Examiner

Trang U. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5 and 13-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5 and 13-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 11, 2006 has been entered.

Response to Arguments

2. Applicant's arguments filed March 20, 2006 and March 03, 2006 have been fully considered but they are not persuasive.

In re page 7, applicant argues, with respect to claim 5, that Koyama fails to disclose or suggest the claimed "...said control and switching means is coupled to said display drives and is further operable to selectively disable video signal on said display screen".

In response, the examiner respectfully disagrees. Koyama et al discloses in col. 7, lines 11-20 that

"When the TV set 20 shown in FIG. 3 is formed so that when a remote control transmitter changes channels, the switching circuits 22 and 25 are connected in a reverse fashion from the connection shown in FIG. 3 and the input to the terminals 33 and 24 is invalidated, it is only needed to form the remote control transmitter 47 so that infrared light signals for changing the connections of the switching circuits 22 and 25 to the connections as shown in the figure are output after a channel change infrared light signal is output".

From the above passage, it is noted that the claimed "...said control and switching means is coupled to said display drives and is further operable to selectively disable video signal on said display screen" is anticipated by the switch 22 of Koyama et al because the switch 22 would be able to disable the video signal of other channel on said display screen. Even if arguing that the switch 22 of Koyama et al can not anticipate the claimed "...said control and switching means is coupled to said display drives and is further operable to selectively disable video signal on said display screen", the "power off" switch of Koyama would anticipate the above claimed feature because the "power off" switch will disable the video signal on the display screen.

In re pages 7-8, applicant argues, with respect to claims 13 and 18, that Koyama et al fails to disclose or suggest the claimed feature "...control and switching means operable to ... remove volume level from user control while connection is to said input".

In response, the examiner respectfully disagrees. Koyama et al discloses in col. 5, lines 45-54 that

"Furthermore, the audio signals taken out from the switching circuit 43 are supplied to the audio processing circuit 44 and processed as required at this time. Then, the processed audio signals are supplied to the speakers 50L and 50R. On the other hand, audio signals of the center channel are taken out from the audio processing circuit 44 and supplied to the input terminal 34 of the TV set 20. Furthermore, those audio signals entered to the TV set 20 are supplied to the audio processing circuit 26 via the fixed contact e and the movable contact f of the switching circuit 25".

From the above passage, the capability of removing the audio signals of the center channel in the audio processing circuit 44 of Koyama et al anticipates the claimed "...control and switching means operable to ... remove volume level from user control while connection is to said input".

In re page 9, applicant argues, with respect to claim 14 which depends from claim 13, that claim 14 distinguishes patentably over the applied references for the same reasons as discussed in claim 13 above.

In response, as discussed above with respect to claim 13, that Koyama et al does indeed disclose the claimed "...control and switching means operable to ... remove volume level form user control while connection is to said input".

In re page 10, applicant argues, with respect to claim 19 which depends from claim 18, that claim 18 distinguishes patentably over the applied references for the same reasons as discussed in claim 18 and claim 14 above.

In response, as discussed above with respect to claim 13, claim 18 and claim 14, that Koyama et al discloses the claimed "...control and switching means operable to ... remove volume level form user control while connection is to said input".

In re page 10, applicant argues, with respect to claim 21, that the applied references, alone or in combination, fail to disclose or suggest the claimed "...the bypassing operation affords user control of volume levels of said respective audio channels, whereas said control and switching means sets volume for said center channel to a predetermined fixed level under said surround sound operation".

In response, the examiner respectfully disagrees. As stated in the last Office Action, Oh et al teaches in col. 8, lines 8-33 that the audio signal A1 from television signal receiver 32 is amplified in order to generate a single audio signal level form the different audio signals levels of the television audio signal A1 and the compact disk audio signal A2, accordingly the need for volume regulation is eliminated. The third

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selector 62 and the capability of amplifying the audio signal using amplifier 60 disclosed in col. 8, lines 8-33 of Oh et al would anticipates the claimed "...the bypassing operation affords user control of volume levels of said respective audio channels, whereas said control and switching means sets volume for said center channel to a predetermined fixed level under said surround sound operation".

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 5, 13, 15-18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Koyama et al (US Patent No. 6,034,737).

In considering claim 5, Koyama et al discloses all the claimed subject matter, note 1) the claimed a tuner configured to receive and separate broadcast video and audio signals is met by the tuner 21 (Fig. 3, col. 3, lines 13-32), 2) the claimed a display screen coupled with a display driver arranged to receive and display video signals from the tuner is met by the CRT 24 (Fig. 3, col. 3, lines 13-32), 3) the claimed a plurality of speakers coupled with audio signal processing means arrange to receive, process and output signals of respective audio channels from the tuner is met by the audio signal processor 26 and right and left speakers 27L, 27R (Fig. 3, col. 3, lines 13-63), 4) the

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claimed an input for a further audio signal (the VTR 51 or VDP 52), said input coupled to a control and switching means operable to switch (microcomputer 35 and the switches 22, 25) between (1) surround sound operation that, by means of said input, provides a common feed of a center audio channel to the plural speakers is met by the AV amplifier 40 which has the audio processing 44 processes audio signal selected by the switching circuit 43 to enhance the effects of sound field such as surrounding sounds, reverberant sounds, echoes, delays, matrixes, and frequency characteristics, and the switch 25 is connected to the fixed contact e to select the audio signals of the center channel are taken out from the audio processing 44 according to the control signal when the TV set 20 used together with the AV amplifier 40 (Fig. 3, col. 4, line 5 to col. 5, line 67), and (2) operation that bypasses surround sound processing to deliver audio over said plural speakers is met by the switch 25 is connected to the fixed contact d to select the audio signal from the tuner 21 when the TV set 20 used independently (Fig. 3, col. 4, line 5 to col. 5, line 67), and 5) the claimed wherein said control and switching means is coupled to said display driver and is further operable to selectively disable video signal display on said display screen is met by the microprocessor 35 which generates switching control signals to the switching circuits 22 and 25 (Fig. 3, col. 4, line 5 to col. 5, line 67).

In considering claim 13, Koyama et al discloses all the claimed subject matter, note 1) the claimed a tuner configured to receive and separate broadcast video and audio signals is met by the tuner 21 (Fig. 3, col. 3, lines 13-32), 2) the claimed a display screen coupled with a display driver arranged to receive and display video signals from

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the tuner is met by the CRT 24 (Fig. 3, col. 3, lines 13-32), 3) the claimed one or more internal speakers residing inside the television receiver, coupled with audio processing means and arranged to receive, process and output audio signals from the tuner is met by the audio signal processor 26 and right and left speakers 27L, 27R (Fig. 3, col. 3, lines 13-63), and 4) the claimed an input for a further audio signal (the VTR 51 or VDP 52), 4) the claimed an input for a further audio signal by which the one or more speakers, if receiving said audio signal, operate as a center channel for a plurality of speakers located externally to, and linked communicatively with, said receiver is met by the AV amplifier 40 which has the audio processing 44 processes audio signal selected by the switching circuit 43 to enhance the effects of sound field such as surrounding sounds, reverberant sounds, echoes, delays, matrixes, and frequency characteristics, and the switch 25 is connected to the fixed contact e to select the audio signals of the center channel are taken out from the audio processing 44 according to the control signal when the TV set 20 used together with the AV amplifier 40 (Fig. 3, col. 4, line 5 to col. 5, line 67), and 5) the claimed control and switching means operable to switch connection of the audio signal processing means from the tuner to said input, and to remove volume level from user control while connection is to said input is met by the switch 25 is connected to the fixed contact e to select the audio signals of the center channel are taken out from the audio processing 44 according to the control signal when the TV set 20 used together with the AV amplifier 40 and the user can controlled the AV amplifier by the remote control transmitter 47 (Fig. 3, col. 4, line 5 to col. 5, line 67).

In considering claim 15, the claimed wherein the tuner is arranged to output audio signals on two or more channels, the receiver comprising a speaker coupled with respective audio signal processing means for each such channel is met by the audio signal processor 26 and right and left speakers 27L, 27R (Fig. 3, col. 3, lines 13-63).

Claim 16 is rejected for the same reason as discussed in claim 5.

In considering claim 17, the claimed coupled with an audio receiver and, via the audio receiver, to the plurality of external speakers (speaker 50L and 50R), wherein the audio receiver has an output for a centre audio channel connected to said input of the television receiver is met by the AV amplifier 40 which has the audio processing 44 processes audio signal selected by the switching circuit 43 to enhance the effects of sound field such as surrounding sounds, reverberant sounds, echoes, delays, matrixes, and frequency characteristics, and has the audio signals of the center channel are taken out from the audio processing 44 input to the TV set 20 (Fig. 3, col. 4, line 5 to col. 5, line 67).

Claim 18 is rejected for the same reason as discussed in claim 13.

Claim 20 is rejected for the same reason as discussed in claim 15.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 14, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koyama et al (US Patent No. 6,034,737) in view of Oh et al. (US Patent No. 5,646,699).

In considering claim 14, Koyama et al disclose all the limitations of the instant invention as discussed in claim 13 above, except for providing the claimed wherein the audio signal processing means includes volume control, and the control and switching means fixes operating parameters by setting the volume control to a predetermined fixed level.

Oh et al teach that the audio signal A1 from television signal receiver 32 is amplified in order to generate a single audio signal level from the different audio signals levels of the television audio signal A1 and the compact disk audio signal A2, accordingly the need for volume regulation is eliminated (Fig. 3, col. 4, lines 8-33).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the single audio signal level as taught by Oh et al into Koyama et al's system in order to avoid the need of remote controller for volume regulation.

Claim 19 is rejected for the same reason as discussed in claim 14.

In considering claim 21, Koyama et al discloses all the claimed subject matter, note 1) the claimed a tuner configured to receive and separate broadcast video and audio signals is met by the tuner 21 (Fig. 3, col. 3, lines 13-32), 2) the claimed a display screen coupled with a display driver arranged to receive and display video signals from the tuner is met by the CRT 24 (Fig. 3, col. 3, lines 13-32), 3) the claimed a plurality of

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speakers coupled with audio signal processing means arrange to receive, process and output signals of respective audio channels from the tuner is met by the audio signal processor 26 and right and left speakers 27L, 27R (Fig. 3, col. 3, lines 13-63), 4) the claimed an input for a further audio signal (the VTR 51 or VDP 52), said input coupled to a control and switching means operable to switch (microcomputer 35 and the switches 22, 25) between (1) surround sound operation that, by means of said input, provides a common feed of a center audio channel to the plural speakers is met by the AV amplifier 40 which has the audio processing 44 processes audio signal selected by the switching circuit 43 to enhance the effects of sound field such as surrounding sounds, reverberant sounds, echoes, delays, matrixes, and frequency characteristics, and the switch 25 is connected to the fixed contact e to select the audio signals of the center channel are taken out from the audio processing 44 according to the control signal when the TV set 20 used together with the AV amplifier 40 (Fig. 3, col. 4, line 5 to col. 5, line 67), and (2) operation that bypasses surround sound processing to deliver audio over said plural speakers is met by the switch 25 is connected to the fixed contact d to select the audio signal from the tuner 21 when the TV set 20 used independently (Fig. 3, col. 4, line 5 to col. 5, line 67).

However, Koyama et al explicitly do not disclose the claimed wherein the bypassing operation affords user control of volume levels of said respective audio channels, whereas said control and switching means sets volume for said center audio channel to a predetermined fixed level under said surround sound operation.

Oh et al teach that the audio signal A1 from television signal receiver 32 is amplified in order to generate a single audio signal level from the different audio signals levels of the television audio signal A1 and the compact disk audio signal A2, accordingly the need for volume regulation is eliminated (Fig. 3, col. 4, lines 8-33).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the single audio signal level as taught by Oh et al into Koyama et al's system in order to avoid the need of remote controller for volume regulation.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TT
June 22, 2006



Trang U. Tran
Examiner
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